

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ROBERT GARZA,

Petitioner,

vs.

BRAD HANSEN,

Respondent.

8:19CV23

**MEMORANDUM
AND ORDER**

This matter is before the court on a Motion for Leave to Proceed in Forma Pauperis ([filing no. 4](#)) filed by Robert Garza. On January 30, 2019, the court directed the clerk of the court to close this case and file Garza's "Request for Relief from Judgment as an Independent Action" in his closed habeas case at case number 8:18CV276 because the court determined the request was not properly filed as a new habeas petition. Accordingly,

IT IS ORDERED that Garza's Motion for Leave to Proceed in Forma Pauperis ([filing no. 4](#)) is denied as moot.

Dated this 1st day of February, 2019.

BY THE COURT:

s/ *Richard G. Kopf*
Senior United States District Judge